



Hate Crime

Hate crimes are unlawful actions designed to frighten or harm an individual because of his/her race, religion, ethnicity or sexual orientation. They can range from verbal intimidation, harassment, damage and desecration of property to physical violence and murder.

There is a significant difference between hate crimes and other types of criminal behavior. In a hate crime, the goal of the perpetrator is not only to terrify or harm a specific victim but also to threaten and terrorize the entire group of which the victim is a member. Because hate crimes have the potential of harming a whole class of people, they are extremely serious offenses.

Bias is clearly indicated by the presence of visible symbols of hatred and contempt. These might be racial slurs or images such as swastikas or the Nazi SS thunderbolt symbol. Some other examples of the use of symbols to express hatred are the wanton desecration of venerated objects in a church or synagogue, the damage and defacement of tombstones with words and symbols of hate, and the use of arson to destroy religious objects or property.

The investigating officer, through proper and effective interview techniques, must clearly distinguish between hate crimes and those criminal activities that result from other motives.

The Nature of the Perpetrator

The majority of hate crime perpetrators are young people frequently

under 20 years of age, who are more inclined to act out their hatreds and prejudices in violent ways. These youthful perpetrators are usually white. However, it is wise not to over generalize, as hate crimes can be committed by and against anyone from any social class.

Surprisingly, most hate crimes are committed by unaffiliated individuals, who are not members of any organized hate group. Some crimes may appear to have been committed by specific groups, but it is more likely they were committed by "copycats" who use the methods and symbols of extremists to express their own prejudiced beliefs.

Questions Investigating Officers Might Ask to Confirm a Motive of Hate

1. Is the victim different from the suspected perpetrators with regard to race, religion, ethnicity or sexual orientation?
2. Did the incident occur because of this difference?
3. Did the victim recently move into the area? Is his or her family the only family, or one of just a few of their racial, ethnic or religious groups in the neighborhood?
4. What is the victim's overall relationship with his or her neighbors and/or local community groups? Interviews to corroborate these relationships are an important part of these investigations.
5. Has the victim or others experienced past or repeated incidents of a similar nature?

6. Was the victim put in a



- state of fear by the incident? Did the perpetrator commit the offense with the goal of creating such fear and intimidation?
7. Is there a connection between the date of the incident and holidays or special programs or events?
8. Is an organized hate group involved in the incident? Is hate literature involved? Is there suspected hate activity in the area?
9. Does the M.O. signify a "copycat" syndrome that might be the result of media coverage of other similar incidents?
10. Were there any recent occurrences in the community or incidents reported in the media in which a member of the suspected offending group was harmed by a member of the victim's group? In other words, could this incident be the result of "payback" or "revenge"?

Federal and State Hate Crime Legislation

In order to prosecute hate crime most effectively, law enforcement officials need to become familiar with the existing applicable criminal statutes in their own jurisdictions and on the federal level.

Federal Legislation

In June 1988, Congress passed the Federal Religious Vandalism Act. This

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law makes it a Federal crime to intentionally deface, damage or destroy any religious real property because of the religious character of that property (where the losses exceed \$10,000). The law also punishes anyone who "intentionally obstructs, by force or threat of force, any person in the enjoyment of that person's free exercise of religious beliefs."

State Legislation

750.147b. Ethnic intimidation; violation, penalty; civil action, damages, costs.

Sec. 147b (1) A person is guilty of ethnic intimidation if that person maliciously, and with specific intent to intimidate or harass another person because of that person's race, color, religion, gender, or national origin, does any of the following:

- (a) Causes physical contact with another person.
- (b) Damages, destroys, or defaces any real or personal property of another person.
- (c) Threatens, by word or act, to do an act described in subdivision (a) or (b), if there is

reasonable cause to believe that an act described in subdivision (a) or (b) will occur.

(2) Ethnic intimidation is a felony punishable by imprisonment for not more than 2 years, or by a fine of not more than \$5,000.00, or both.

(3) Regardless of the existence or outcome of any criminal prosecution, a person who suffers injury to his or her person or damage to his or her property as a result of ethnic intimidation may bring a civil cause of action against the person who commits the offense to secure an injunction, actual damages, including damages for emotional distress, or other appropriate relief. A plaintiff who prevails in a civil action brought pursuant to this section may recover both of the following:

- (a) Damages in the amount of 3 times the actual damages described in this subsection or \$2,000.00, whichever is greater.
- (b) Reasonable attorney fees and costs.

Professional Behavior in a Hate Crime Situation

- > View all suspected or confirmed hate crime incidents as serious.
- > Law enforcement professionals should view juveniles who commit hate crimes as potentially violent and dangerous and treat them accordingly.
- > Conduct hate crime investigations in a timely fashion using all appropriate resources.
- > Recognize the need to statistically document all bias incidents.
- > Give careful attention to identifying the motive and cause of the hate incidents.
- > Be sensitive to the feelings, needs and fears of the victim and of the community at large.
- > Reassure the victim that appropriate investigative and enforcement methods will be used by the law enforcement agency.
- > Work with the victim and the community to allay fears, reduce tensions and improve intergroup relations. This may entail a continuing program of "touching base" with community leaders on a regular basis. ■



The crime of stalking in Michigan has in the past few years been highly publicized. Coincidentally, during this same period, the Internet has become accessible by millions, creating an entirely new realm for stalking to occur. Fortunately, the stalking laws of Michigan also apply when the suspect is using the Internet as his method for contact with the victim.

The criminal definition of stalking is the "willful course of conduct involving repeated or continuing harassment of another individual that would cause a reasonable person to feel terrorized, intimidated, threatened,

harassed, or molested, and that actually causes the victim to feel terrorized, intimidated, threatened, harassed, or molested." It is a "course of conduct" composed of a series of 2 or more separate noncontinuous acts, evidencing a continuity of purpose. This includes the use of mail or "electronic communication" to complete the offense.

Tips for Investigating Internet Stalking

- > Request that the victim download, save on disk, and print all suspect messages for evidence.
- > Note the times the messages are sent to the victim.
- > Check the return address of all messages to see if the internet service provider is the same on all the messages or if several are used.

Stalking Over the Internet

- > Check to see if anyone else associated with the victim is receiving threatening or intimidating messages.
- > Determine if other mediums have been used besides the Internet to intimidate the suspect.
- > If the suspect has talked to the victim, did the suspect use any of the same terms or phrases as used on the Internet? Better yet, did the suspect actually tell the victim that they sent them an Internet message?

Investigation of an Internet stalker is the same as any other investigation, the computer message is just another source of evidence. Remember, protection of the victim is paramount. A threatening e-mail can be a precursor to an actual assault. Don't forget to encourage a personal protection order. ■

Stress and Law Enforcement Support Personnel

With the growing complexity of law enforcement, nonsworn employees have become critical to the success of any department's mission. While the difficulties faced by these individuals may not be the same as those faced by patrol officers, the stress experienced by support personnel can be just as real and physiologically damaging. There are several causes of stress that seem consistent:

Second-class Citizenship

It is not unusual for support personnel to perceive themselves as "second-class citizens" because field needs often receive priority attention in both personnel and budget. As a result, support personnel often feel that everyone takes them for granted. Line personnel seem slow to recognize accomplishments and quick to criticize mistakes.

Insufficient Training

In too many departments, training for support personnel is still primarily on the job and little attention is given to in-service training as a way to develop skills and attitudes.

Few Opportunities to Advance

The lack of opportunity for promotion or to transfer laterally is a problem, particularly for smaller departments.

Antiquated Systems

Frustration with inadequate tools, combined with demands for ever increasing productivity, can cause significant stress.

Uncomfortable Environment

Working in an environment where office design, heating, lighting, privacy, and sounds are outside your control enhance stress and feelings of powerlessness.

Lack of Freedom

Occupational stress research has identified as highly stressful those situations where a person has little freedom to move around because they must be at a station. Routine, monotony, and boredom, drains personal energy.

Inadequate Interpersonal Relations

Even in fields where the employee has frequent contact with the public there can be stress from lack of meaningful communication. People need time to talk things out with other employees at their level.

Lack of Feedback

Where support personnel deal directly with line personnel during crisis situations, they often receive little or no



follow-up briefings on how things concluded. This leaves them feeling out-of-the-loop and with a lot of misconceptions on their performance.

WHAT WE CAN DO

Unfortunately, it is common to deal with stressed employees by giving them relaxation training. While this is helpful, it is only treating the symptom. There are specific actions that we all can take that will reduce stress and improve the work environment:

1. Management can provide TRAINING to increase the employees understanding of their job role and appropriate responses to occupational demands.
2. To enhance interpersonal COMMUNICATIONS, sworn and support personnel should have regular exchanges Because of human

reluctance to communicate, administrative encouragement may be necessary.

3. INVOLVEMENT in the department's decision making process is also necessary to reduce stress. Personnel must be given a chance to voice their opinions on issues that involve them.
4. Provide periodic BREAKS or "escapes" during the workday. Exercise periods are very beneficial toward reducing stress.
5. If promotional opportunities are limited, the agency should seek to broaden the employees current role by giving them a chance to take on SPECIAL PROJECTS.
6. Act and treat others with PROFESSIONALISM. Recognize the importance of every job and constantly strive to make things work better.
7. You are dealing with a myriad of different people, each with their own values, priorities, and educational background. You must learn to RESPECT these differences. 🐼

1997 Physical Assessment Participation

Below is a summary of the voluntary physical assessment which was administered the month of September.

Total Departmental Participation:
1,855 or 61% out of 3,034 department members

(1996 Total Participation: 2,013 or 64% out of 3,132 department members.)

Enlisted Participation:
1,773 or 84% out of 2,121 enlisted members

1996 enlisted participation: 1,870 or 87% out of 2,143 enlisted members.)

Civilian Participation:
82 or 9% out of 913 civilian members

(1996 civilian participation: 143 or 15% out of 989 civilian members.) 🐼



General H. Norman Schwarzkopf (Ret.)

Thoughts on the topics of . . .

DECISIVENESS

Once my commanding officer received a briefing from the army staff. I didn't understand the briefing and I know he didn't, but to my amazement he made a decision and he sent these fellows out to implement that decision throughout the entire United States Army. After they were out of the room, I said "Hey, I know you don't know anything about that subject and I know you didn't understand that briefing. How could you have possibly made a decision?" He said, "Norm, if I hadn't made a decision today that problem would have stayed inside the Pentagon another year and it would have been a problem for the Army for seven years. So I made a decision. It may not have been the right decision, but there are thousands of people in this great organization who will take that bad decision and make it a good one and get on with solving the problem. But if I hadn't made the decision, nothing would have happened."

ASSERTIVENESS

To my surprise, the best commanders were the ones who could carry out a bad order when necessary, and knew how to do so without ruining the troops' morale. As soon as it was clear the colonel wasn't going to change his mind, the good commanders went back to their units and executed the order as if they'd thought of it themselves. They told the men, "Okay, guys. We've got a mission . . . let's show who's the best company!" The incompetent commanders delayed implementing the order, and when they finally did, they let it be known that it wasn't their idea and that they didn't like it anymore than anyone else. The troops, in turn, worked lackadaisically.

Decision Making and Character

In police work, there is a vast area of decisive action within which one must operate unaided. This is the true nature of loneliness: when there are a dozen possibilities for an action of crucial importance, every one of which is fraught with grave risks and not one of which appears to be better than the others. The final choice is made alone.

How is a decision then made? Viewed objectively, it is still a blind choice, a leap in the dark. In such cases a person is thrown altogether upon their inner resources. Decisions are constructed out of pure acts of will. Inevitably, as circumstances demand crucial choice after crucial choice, the full weight of responsibility is felt—the glorious triumphs and the disappointing reverses. Gradually one learns to live with the pressure—not easily, perhaps, but gracefully and with a kind of pride that has no taint of arrogance. 🍷